



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

October 04, 2016

Mr. Gary Okimoto  
Vice President, Honolulu Wood Treating, LCC  
91-291 Hanua Street  
Kapolei, HI 96707-1711

Re: Request for Information Under Clean Water Act Section 308(a) – Honolulu Wood Treating, LLC, EPA Docket No. CWA 308-9-16-015

Dear Mr. Okimoto:

In our May 3, 2016 compliance evaluation inspection of Honolulu Wood Treating, LLC (“HWT”), inspectors from the U.S. Environmental Protection Agency, Region 9 (“EPA”) identified drains and manholes throughout the HWT facility. The drainage network and destination of these drains and manholes were not adequately documented or communicated. The inspection team also documented industrial activity within the scope of SIC code 2491 outside any enclosure and with exposure to the elements.

Based on the conclusions of a City and County of Honolulu inspection report on February 19, 2016, and the observations documented by a May 3, 2016 EPA inspection, EPA believes there may be potential for stormwater to leave HWT property and enter an MS4 or other conveyance leading to a state or federal water. The enclosed Request for Information will help county, state, and federal regulatory agencies further assess what, if any, such potential exists.

Pursuant to the Agency’s information-gathering authority under Section 308 of the Clean Water Act, 33 U.S.C. § 1318, EPA hereby requests that HWT provide the information specified in Enclosure 1 by **November 1, 2016**.

Please send your response to:

Colby Tucker, ENF 3-1  
U.S. Environmental Protection Agency  
Region IX  
Enforcement Division  
75 Hawthorne Street  
San Francisco, CA 94105  
[Tucker.WilliamC@epa.gov](mailto:Tucker.WilliamC@epa.gov)

Please note you may satisfy part or all of this request by electronic mail.

All submittals in response to this letter must be accompanied by the following certification signed by a responsible officer in accordance with 40 C.F.R. § 122.22:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

HWT may not withhold from EPA any information on the grounds that it is confidential business information. However, EPA has promulgated, under 40 C.F.R. Part 2, Subpart B, regulations to protect confidential business information it receives. A legally supportable claim of business confidentiality may be asserted in the manner specified by 40 C.F.R. § 2.203(b) for all or part of the information requested by EPA. EPA will disclose business information covered by such claim only as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies the information at the time EPA receives it, EPA may make it available to the public without further notice.

Failure to comply with this Request for Information can result in enforcement action for appropriate remedy, including penalties, under Section 309 of the CWA, 33 U.S.C. § 1319. Compliance with this Request for Information does not relieve HWT of its obligation to comply with the CWA or other applicable laws and permits.

The Request for Information is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is directed to fewer than ten persons and is therefore not a “collection of information” under 44 U.S.C. § 3502(3). It is also an exempt activity under 44 U.S.C. § 3518(c) and 5 C.F.R. § 1320.4.

Lastly, EPA has created a number of resources for small businesses. EPA has established the Small Business Compliance webpage at <https://www.epa.gov/compliance/small-business-compliance> which includes links to other resources as well. We have also enclosed to this letter a fact sheet about the Small Business Regulatory Fairness Act.

Thank you for your cooperation and prompt attention to this letter as it is a matter of public health and protection of vital environmental resources. If you have any questions regarding this Request for Information, please contact Colby Tucker of my staff at 415-972-3556 or [Tucker.WilliamC@epa.gov](mailto:Tucker.WilliamC@epa.gov). Legal questions regarding this Request for Information should be directed to Hope Schmeltzer of the Office of Regional Counsel at 415-972-3218 or [Schmeltzer.Hope@epa.gov](mailto:Schmeltzer.Hope@epa.gov).

Sincerely,



Thanne Berg  
Acting Assistant Director, Water &  
Pesticides Branch  
Enforcement Division

Enclosures: Request for Information  
Small Business Fact Sheet

cc (via email): Matt Kurano, Department of Health, [matthew.kurano@doh.hawaii.gov](mailto:matthew.kurano@doh.hawaii.gov)  
Kyle Honda, City and County of Honolulu, [khonda1@honolulu.gov](mailto:khonda1@honolulu.gov)

## ENCLOSURE 1

Under the authority of Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), the United States Environmental Protection Agency, Region 9 (“EPA”) requires Honolulu Wood Treating, LLC (“HWT”) to provide to EPA the information described below (see “Request for Information”). This Request for Information in no way alters or relieves HWT of other legal responsibilities or restrictions imposed on operations at the Site at the federal, state or local government level.

### REQUEST FOR INFORMATION

Please provide the following information and documents. If HWT does not maintain the requested information and/or documents, please state, “We do not have this requested information.” Please note that you may be required to recreate certain information if it is currently not maintained in your records.

1. Provide all engineering drawings, “as-builts,” blueprints, isometric drawings, and associated documents related to paving from the most recent paving of each section of the yard uncovered by roof.  
Include:
  - i. Date(s) of drawings and date(s) of construction,
  - ii. Engineering firm that drew plans,
  - iii. Construction firm that completed paving, and
  - iv. Gradient lines dictating water runoff direction.
2. Provide all engineering drawings, “as-builts,” blueprints, isometric drawings, and associated documents related to drains and manholes on property grounds into or over which storm water may flow. Include discharge location(s) if one or more conveyances leaves HWT property. *Note*, if no such documents exist in your records, you are required to recreate these based on the current conditions of HWT property.  
Include:
  - i. Map of property indicating location of all manholes and drains, and
  - ii. Map of property indicating discharge locations of manholes, drains, and other conveyances that collect stormwater.
3. Provide a narrative description of stormwater use in processing wood for treatment.  
Include:
  - i. Purpose and contents of tank in Photo 22 of the Photo Log from the May 3, 2016 EPA inspection report.
4. Provide a copy of HWT’s SPCC plan and Environmental Action Plan (as referenced in a May 3, 2016 email to EPA from Gary Okimoto).
5. Provide a copy of HWT’s SPCC plan and Environmental Action Plan (as referenced in a May 3, 2016 email to EPA from Gary Okimoto).
6. Provide information about which process vessels could contain oil and their storage capacities.